

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

All questions submitted in accordance with the Request for Proposal (RFP) for a Central Site Monitoring System dated September 27, 2004, by the Maine Department of Public Safety, Gambling Control Board have been compiled and answered in this document. If there are any answers provided that need further clarification, those must be submitted and received by Lt. Thomas Kelly by noon on November 5, 2004 2PM EST. All clarifying questions shall be sent by email ([Thomas.e.Kelly@maine.gov](mailto:Thomas.e.Kelly@maine.gov)) and US Mail/Courier (Lt. Thomas E. Kelly, 87 State House Station, 45 Commerce Drive, Augusta, ME 04333-0087). Email should not be relied upon exclusively.

1. **Section 3.1.2**

Request that the Evaluation Committee amend the RFP to allow for an out of state data center. This would allow vendors to leverage existing operations and resources to benefit the State of Maine. While the RFP allows and utilizes the existing State of Maine data center, the 24/7 staffing requirement provides for an insurmountable cost advantage to the Maine State Lottery's on-line vendor, who has an existing data center located in Maine and that is currently staffed 24/7.

**ANSWER: The Gambling Control Board agrees to make changes to this section. See Addendum.**

2. **Section 3.4.4**

There's a requirement in **Section 3.4.4** about Project Schedule and we're wondering whether there was a desired start-up date for this project or a go live date? It doesn't seem to be in the RFP anywhere.

**ANSWER: There is no proposed start-up or go-live date. Those dates would be negotiated and mutually agreeable to both the State and the Central Site Monitoring System Vendor.**

3. **Section 1.12 and also 5.5.**

- a. Question pertains to **Section 1.12** *Demonstrability of Proposed Systems* in which the following statement is included: **The Board's Evaluation Committee is limited to travel in North America for any such demonstrations.**

Same Question pertains to **Section 5.5** *Site Visits and/or demonstrations* in which the following statement is included: **The Evaluation Committee is limited to North America for any travel regarding site visits and demonstrations.**

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

As this is governmental public tender for the State of Maine, and the State of Maine is a part of the United States of America, this restriction on travel is anti-competitive and a restriction of trade which violates the tenets of the World Trade Organization of which the Federal Government of the United States of America is a full signatory member. Many State Governments have dropped such international travel restrictions in recognition of the global nature of the gaming industry and to remain compliant with international trade treaties.

EssNet Interactive AB would like to demonstrate their most recent Central Site System that is currently operating for the Norwegian Government. EssNet Interactive AB respectfully requests a reconsideration of travel restrictions by the members of the Evaluation Committee if EssNet Interactive AB directly reimburses the costs of such travel to the Maine Gambling Control Board.

- b. Question pertains to **Section 1.12 Demonstrability of Proposed Systems** in which the following statement is included: **The demonstration (s) may consist of CSMS simulation at the Board offices in Augusta, Maine...**

EssNet Interactive AB would respectfully request assistance from the Maine Gambling Control Board for assistance in obtaining permits/licenses for the importation of slot equipment and systems for demonstration within the State of Maine. Would this assistance be available?

## ANSWER:

**The intent of Demonstrations/Site visits listed in SECTION 1.6 and further defined in SECTION 1.12 is the following;**

- **Potential Vendors will prepare presentations to the RFP evaluation committee utilizing a predetermined script that will be consistent for all vendors. This presentation will be scheduled on November 22, 23, or 24, 2004 at the Department of Public Safety facilities in Augusta, ME.**
- **Under Section 1.12, paragraph 2, the Board reserves the right to review one or more systems in operation at our consultant's (Gaming Laboratories International, Inc.) lab in Lakewood, New Jersey. This is a third party testing facility where systems would be demonstrated in the same environment on, or about, December 6<sup>th</sup> & 7<sup>th</sup>, 2004. Affected vendors, whose systems will be demonstrated at GLI, will be notified by November 29<sup>th</sup> so they may be present at the demonstration.**
- **All systems shall arrive at Gaming Laboratories International (GLI) by November 22, 2004. Any assistance in getting systems to GLI shall be coordinated with Mr. Todd Elsasser, Executive Director of Engineering and**

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

**Testing, at (732) 942-3999. Any Travel or shipping expenses shall be the responsibility of the bidding vendor.**

4. **Section 2.6,**

Question refers to **Section 2.6** in which the following statement is included: *Minority/Women/Disadvantaged-owned Business Participation.*

Will the federal designation of an “8A Firm” be acceptable to the Maine Gambling Control Board for compliance with this requirement?

**ANSWER: This is not a specific requirement, but the definitions and qualifications under the federal designation are acceptable.**

5. This is open, it doesn't regard to any section. Does the Gambling Control Board have any intentions and/or requirements for implementing problem gambling procedures or automatic solutions operating within the central operating system? In other words, any future requirements of the central operating system being able to limit individual play, things like that, on a specific basis?

**ANSWER: No requirements at this time.**

6. **Section 3.2.4**

Is it the intent to disable the cabinet and not the individual game? The machine itself or the one specific game that's playing on the machine?

**ANSWER: The intent is to limit both. Individual games on a given machine are certified and should be disabled by pay-table if necessary.**

7. **Section 3.3.3**

There are two conditions for disabling the slot machines however there are no conditions with respect to enabling the machines.  
You outlined conditions for disabling but not enabling.

**ANSWER: Paragraph 2 of this section identifies conditions for enabling a machine.**

8. **Section 2.16.3**

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

Would the Board accept fidelity insurance as opposed to fidelity bond if the financial requirements were equal?

**ANSWER: The Board would accept fidelity insurance so long as it provides identical protection to the State as a fidelity bond would provide.**

9. **Section 3.3.6**

The specification is made to fourteen (14) digit meter lengths. My question is asking for clarification. Is that the meter within the game, the protocol or the storage of the meter in the system itself?

**ANSWER: The specification refers to the storage of the meter in the system itself.**

10. **Section 3.2.3**

There was a reference made to the test bed being provided (off-line). Does this need to have the same fault tolerance (and the expense) as the production system?

**ANSWER: No. The test-bed is normally a back-up system.**

11. **Section 3.2.2**

Communication Network Control and Security, item A – Access Restriction. The question is since there must be no capacity to dial in, to have access over the public Internet to or otherwise have access or control of any device in the network without the Board's approval, will the Board be available 24/7 to give that access?

**ANSWER: The Board will not be available 24/7 to give access. The Minimum Internal Control Standards will cover any emergency access need.**

12. **Section 1.11 Proposal Due Date and Late Delivery**

The RFP states that "one original and 9 (nine) copies of the entire proposal must be submitted." However, in Section 1.13, Proposal Form, the RFP states that "One original and six copies of this part (first proposal part) are to be delivered" and that "one original and two copies of the second part" are required. Please clarify how many are required.

**ANSWER: One original and nine (9) copies of everything. (Both parts).**

13. **Section 1.13 Proposal Form**

# **Maine Gambling Control Board**

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

The RFP states that “One original and six copies of this (first proposal part) are to be delivered, including electronic copies...” Can the Board clarify if this means six electronic copies are required?

**ANSWER: Only one electronic copy is fine.**

**14. Section 2.7.2 (C) Termination with Possible Compensation**

Will the Board consider reimbursing the successful bidder for all reasonable expenses, products, supplies and services for which the bidder has not yet been compensated up to the effective date of termination under this section?

**ANSWER: No.**

**15. Section 2.16.2 Performance Bond**

Due to the fact that Surety Companies currently require specific wording on their bond forms, will the Board amend Section 2.16.2 Performance Bond to include the following?

A. The bond is annually renewable.

**ANSWER: This is agreeable.**

B. Neither non-renewal by the Surety, nor failure or inability of the Principal to file a replacement bond in the event the Surety exercises its right to not renew this Bond, shall itself constitute a loss to the Obligee recoverable under this bond or any extension thereof.

**ANSWER: No.**

**16. Section 3.1.2 Location of the Primary Central Site Monitoring System**

a. Request that the evaluation committee amend the RFP to allow for an out-of-state data center. This would allow bidders to leverage existing out-of-state operations and resources to the economic benefit of the State of Maine. While this RFP allows a bidder to utilize an existing Maine data center, the 24/7 staffing requirement gives an insurmountable cost advantage to the Maine State Lottery’s existing online vendor, which has an existing data center, located in Maine, that is currently staffed 24/7.

**ANSWER: The Gambling Control Board agrees to make changes to this section. See Addendum.**

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

- b. With regard to the Board providing space in facilities operated by the Maine Department of Public Safety, will this facility be free of charge or are there charges related to these facilities? In addition, would these facilities accommodate a data center environment, including raised floor, UPS and ample air conditioning?

**ANSWER: The Board is not able to make space available. The second sentence of 3.1.2 will be removed. (See Addendum)**

**17. Section 3.1.6**

Would the successful bidder provide and install cabling for the entire facility (up to the Slot Machine) or only to the local site controller?

**ANSWER: The successful bidder shall install/provide cabling up to the local site controller. The CSMS vendor shall provide specification requirements of cabling to the slot machine.**

**18. Section 3.2.1.D**

This section states, "The primary and backup CSMS sites must maintain connectivity for synchronization and control." Does this mean that a backup site is a mandatory requirement?

**ANSWER: Yes, it is a mandatory requirement.**

**19. General**

It is assumed that the slot machine will produce a voucher when a player cashes out. Is this a valid assumption? If so, what is the maximum number of employees performing a validation function at one time, and in how many locations?

**ANSWER: Yes, this is a valid assumption. Since State Law outlines the capacity of slot machines to be 1500 at the Bangor facility. The Central Site Monitoring System vendor needs to articulate what is necessary to support that, assuming a slot machine will produce a voucher where an employee is required to validate.**

**20. General**

Does the Board require that the Central Monitoring System include a Player Tracking component?

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

**ANSWER: No, this is not a requirement. But this is an option.**

**21. Appendix C**

Will the sample contract attached in Appendix C be the final contract arising from the RFP? If yes, following the award, will the Board and the successful bidder be able to negotiate any possible inconsistencies between the sample contract in Appendix C and the terms and conditions contained in Section 2 of the RFP?

**ANSWER: The State will discuss any possible inconsistencies to achieve clarity in the contract during negotiations.**

**22. Section 1.33 No Conflict**

The RFP states that the successful bidder will not be responsible for the manufacture, distribution or maintenance of slot machines. Can the successful CSMS bidder also bid on the slot machine procurement RFP, or is the CSMS supplier prohibited from bidding on the slot machine RFP?

**ANSWER: Yes, the successful bidder may also bid on the slot machine procurement RFP.**

**23. Section 1.4 Term of Contract**

With regard to the possible 5-year extension, is it a one-time 5-year extension, or is it multiple extensions within a 5-year period?

**ANSWER: Could be a one 5-year extension or multiple extensions of up to 5 years total.**

**24. Section 1.6 Schedule**

The schedule allows 2 weeks between the written responses to questions and the proposal due date. This is a short time to review answers to questions and incorporate changes that may be necessary into the proposal. Can the proposal due date be extended?

**ANSWER: No.**

**25. Section 1.11 Proposal due date and Late Delivery**

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

- a. Please clarify the requirements for submitted proposal originals and copies. There appears to be a discrepancy between the requirements stipulated in Section 1.11 (one original and nine copies), versus Section 1.13 (one original and six copies of the technical volume, and one original and two copies of the pricing volume)

**ANSWER: One original and nine (9) copies of everything. (Both parts).**

- b. It is not clear if late proposals will be rejected. Will late proposals be rejected?

**ANSWER: Late proposals will not be accepted.**

**26. Section 2.17.6 Late Initial Installation**

What is the projected startup date to have the CSMS system operational?

**ANSWER: There is no proposed start-up or go-live date. Those dates would be negotiated and mutually agreeable to both the State and the Central Site Monitoring System Vendor.**

**27. Section 2.26 B Tests Following Award**

Travel Expenses for the Board are to be paid by the contractor and as stated, the expenses are not limited. Can a maximum travel expense be defined?

**ANSWER: Travel will be limited to those rates compensable to state employees under existing policy of the state controller.**

**28. Section 3.1.1 A**

Can a minimum number of slot machines be specified?

**ANSWER: Law provides for up to 1500.**

**29. Section 3.1.10 A**

Has a third-party test agency been identified? Who will designate the test agency? Who will pay for third-party testing?

**ANSWER: The Board will designate any third party test agency (agencies). Successful vendor will pay for any third party testing.**



# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

**30. Section 3.2.1 D**

Does the Board have specific requirements for a backup CSMS site such as minimum hardware or location?

**ANSWER: No. Vendors shall outline their proposed solution.**

**31. Section 3.4.4**

Schedules at the track will depend on any improvements or construction planned by the track. Can the Board provide a track contact to discuss these plans?

**ANSWER: We do not have a track contact. Penn National is the parent agency of Bangor historic Track.**

**32. Section 4.3 A**

Can the board provide projected slot machine quantity installed and projected net proceeds to consider for baseline pricing?

**ANSWER: Law provides for up to 1500. No projection of proceeds is available at this time.**

**33. SECTION 1011 of MRSA c. 31**

requires a person who operates slot machines to hold an operator's license. In Section 1001 the term, "operate" is defined as "to offer for use." Progressive gaming devices are typically leased on a participation model whereby the distributor who offers the progressive devices shares in their revenue. Please confirm that the distributor of a progressive gaming device is not an operator.

**ANSWER: A Distributor is not an Operator.**

**34. SECTION 1.19**

of RFP states that the bidder may label trade secrets and proprietary information confidential however such labeling will not be binding upon Board to prevent disclosure under any applicable Freedom of Information Act.

1. Please confirm that documentation of proprietary information relating to the software of the system does not constitute a public document and will be treated as confidential.

**ANSWER: (1 & 2 have the same answer.) Under state law, upon the granting of an award all bid proposals become public and are subject to disclosure. Therefore, to the extent that bidders can submit a proposal that**

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

**does not contain trade secrets or proprietary information, they should do so. There is an exception under Maine's public disclosure law for records that would be within the scope of a privilege against discovery or use as evidence recognized by the courts of this State in civil or criminal trials if the records or inspection thereof were sought in the course of a court proceeding. Maine law recognizes a privilege for trade secrets. Accordingly, to the extent a proposal contains a trade secret, the bidder should clearly designate the material as such. If the Board receives a request under Maine's public disclosure law to review a bidder's proposal, the Board will notify the bidder so that the bidder may seek protection of its trade secrets. The burden will be entirely on the bidder to demonstrate that the information is privileged, and if the bidder is unsuccessful in obtaining protection, the Board will be required to disclose the information.**

2. Please confirm that documentation of technical specifications relating to the system does not constitute a public document and will be treated as confidential.

**ANSWER: See above**

## 35. SECTION 1.19

States that the Board reserves the right to use information contained in the proposal to the extent permitted by law. Please confirm that in the absence of an award of the contract, the Board does not have the right to use proprietary information and intellectual property owned by the bidder without the grant of a license thereto.

**ANSWER: The Board concurs that the RFP process does not convey a license to the Board to use any proprietary information and intellectual property of an unsuccessful bidder.**

## 36. SECTION 2.5

states that the successful bidder must be licensed in accordance with 8 MRSA Chapter 31, Section 1015. Section 1015 states that a person may not be employed by a slot machine operator, slot machine distributor or gambling services vendor unless the person is licensed to do so by the Board or granted a waiver by the Board. Thereafter, Section 1016 paragraph 1 states that a person may not hold more than one class of license under this chapter unless the 2nd license is an employee license under Section 1015.

1. Please confirm that the obtaining of an employee license by the successful bidder will not preclude the successful bidder or a subsidiary thereof from obtaining a license to distribute slot machines.

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

**ANSWER: The successful bidder does not need to be licensed. An addendum will be added to the RFP to correct this. The successful bidder may apply for a license to be a slot machine distributor.**

2. Please confirm that the successful bidder is not required to obtain a license other than the employee license.

**ANSWER: The central site monitoring system vendor is not licensed, but is subjected to the same suitability investigation as that of a slot operator.**

## 37. SECTION 2.8

states that “In case of default by a successful bidder, the Board may upon 30 days prior written notice to that successful bidder terminate the contract...” The RFP does not afford the successful bidder with an opportunity to cure any such default. Would the Board be willing to amend this section of the RFP to read: “In case of default by a successful bidder, the Board may upon the failure of the successful bidder to cure such default after 30 days prior written notice to that successful bidder terminate the contract...”

**ANSWER: This a reasonable request and an addendum to Paragraph 2.8 will be issued.**

## 38. SECTION 2.15.1

General Indemnification states that “These indemnifications shall not apply to the extent, if any, that...are caused by the negligence or reckless or intentional wrongful conduct of the Board, the Department, the State, or their agents.” Appendix C: State Rider B of the Agreement to Purchase Services (“Appendix C”) provides that the indemnification does not extend to a claim that “solely and directly” results from the Boards negligence. It is inequitable to hold the successful bidder liable for the actions of the Board merely because the successful bidder contributed to the culpability. Each party should be responsible for its own actions. As such, would the Board be willing to amend Appendix C to reflect the language in the RFP.

**ANSWER: The State is providing an addendum to the identification requirements of the original RFP.**

## 39. SECTION 2.17.7

# Maine Gambling Control Board

## Response to Questions

For

### Central Site Monitoring System RFP

October 29, 2004

provides for liquidated damages in the amount of \$1,000 per day if the CSMS system is not fully installed by the Board's scheduled start date. The schedule set forth in Section 1.6 does not provide for a start date.

1. Can the Board provide the scheduled start date prior to the submission of the proposals?

**ANSWER: No**

2. If a start date cannot be provided prior to submission of the proposals would the Board agree to the subsequent scheduling of a start date that is mutually acceptable to the Board and the successful bidder?

**ANSWER: Yes**

**40. SECTION 2.17.12**

provides for liquidated damages in the event of an unauthorized modification. Please confirm that the imposition of liquidated damages only applies if the unauthorized modification was made by the successful bidder or a person acting under the control of the successful bidder.

**ANSWER: This is a reasonable request and an addendum will be issued for Section 2.17.12.**

**41. SECTION 2.22**

provides that the successful bidder shall pay all taxes, fees and assessments upon the System. Please clarify the applicable taxes, fees and assessments.

**ANSWER: This includes, but is not limited to sales and use taxes, personal property tax, real estate and income.**

**42. SECTION 2.27**

provides that at the end of the contract the successful bidder, at the request of the Board, must assist and facilitate the conversion of data to the new system. The RFP does not provide for reimbursement of additional costs associated with the conversion. Would the Board agree to reimburse the successful bidder for its additional costs incurred in such conversion can be quantified?

**ANSWER: No. The Board would not agree to reimburse for this conversion, as the data is the property of the Gambling Control Board. To assist and facilitate the conversion of any data could be satisfied if data was made available to the Board in an acceptable/useable format.**

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

## 43. SECTION 2.29

Requires, among other things, that:

1) A “complete listing of source programs” and “program object code of the software” be delivered to the Board or placed into escrow. It is unclear whether the Board expects the actual source programs and object code, an executable version of the source programs and object code or simply a listing of the programs and object code in question. If the Board intends to receive the actual source programs and object code or an executable version of the source programs and object code, we believe this requirement is not customary, as the Board has no need to access to such programs during the normal course of business.

Would the Board consider amending the RFP to delete the terms “complete listing of source programs” and “program object code of the software” from the list in the first paragraph and to add the following provision: “The successful bidder shall provide a current copy of the source code and executable code for all proprietary software to a mutually acceptable third party escrow, at a mutually acceptable location, available to the Board to the extent necessary for the Board to continue to support the CSMS or any component thereof upon i) any material breach of the contract by the successful bidder resulting in termination; ii) insolvency; or iii) failure of the successful bidder to continue to support the CSMS or any component thereof.”

**ANSWER: This is a reasonable request and an addendum will be filed to Section 2.29.**

2) Section 2.29 further states that the escrow arrangement is subject to approval by the Board. Would the Board consider amending the RFP to include the following provision: “Such approval by the Board shall not be unreasonably withheld.”

**ANSWER: This is a reasonable request and an addendum will be filed to Section 2.29.**

3) Finally, Section 2.29 states that “Access to the materials in escrow for review and use of the contents shall be at the sole discretion of the Board, and the Board will exercise discretion to protect the intellectual property of the successful bidder.” We believe this requirement is overbroad and onerous, in that the Board could unilaterally gain access to the successful bidder’s most valuable asset, its source code. This is not customary and could, we believe, significantly increase a bidder’s risk under the contract, which could result in bid pricing increases that far exceed the benefit to the Board in keeping the language in the RFP. Further absent extraordinary circumstances, the Board has no reason to access the source

# Maine Gambling Control Board

## Response to Questions

For

### Central Site Monitoring System RFP

October 29, 2004

code, and the provision of an escrow agent sufficiently protects the board's interests.

Would the Board consider amending the RFP to delete the cited paragraph and to add the following provision: "The successful bidder shall provide a current copy of the source code and executable code for all proprietary software to a mutually acceptable third party escrow, at a mutually acceptable location, available to the Board to the extent necessary for the Board to continue to support the CSMS or any component thereof upon i) any material breach of the contract by the successful bidder resulting in termination; ii) insolvency; or iii) failure of the successful bidder to continue to support the CSMS or any component thereof.

**ANSWER: This is a reasonable request and an addendum will be filed to Section 2.29.**

#### 44. SECTION 2.34

provides the Board shall be granted a right or license to use, among other things, intellectual property arising from successful bidder's work under this contract for at no additional charge an indefinite period of time. Although it is appropriate to grant a license at no additional charge for such intellectual property, we believe the requirement to extend such license beyond the term of the contract to be oppressive and inequitable. The intellectual property in and to the CSMS constitutes a valuable asset of the successful bidder and we believe that an extension of the rights to use the intellectual property indefinitely could result in bid price increases. Would the Board consider amending the last sentence to read: "The Board shall be granted the right or license at no additional cost to employ said items during the term of the contract, or any extension thereof, in the execution of the Board's business relating to the CSMS.

**ANSWER: No.**

#### 45. SECTION 3.3.6

Collection of Accounting Information from Slot Machines

On February 2<sup>nd</sup>, 2004, the Nevada Gaming Control Board demanded that all gaming devices must be equipped with electronic digital storage meters of at least ten digits, which was an increase from eight digits. We are unaware of any slot machines vendor who has adopted 14 digits meters.

Please, clarify the reason for the 14 digits meter requirement.

**ANSWER: The specification refers to the storage of the meter in the monitoring system itself, not slot machines. The 14 digit requirement prevents frequent rollovers for accounting purposes.**

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

46. **SECTION 3.3.9**

Downloading of Software to the Slot Machines

We are unaware of any widely available communication protocol (as described in SECTION 3.2.4) which supports download.

Please, clarify your intention to deploy a mechanism to download operating and game software to slot machines.

**ANSWER: The Board wants to support the downloading of software to the slot machines and is aware of an existing communication protocol being used by 70% of the industry.**

**Vendors should indicate what protocols they support and how widely available they are in the industry.**

47. **SECTION 1.6**

Following the January 14, 2005 date outlined in the RFP for having “contracts executed by,” when does the Gambling Control Board and Maine Department of Public Safety expect to have a central site monitoring system (CSMS) up-and-operational at the Bangor Historic Track facility and/or at any other site specified by the Board?

**ANSWER: There is no proposed start-up or go-live date. Those dates would be negotiated and mutually agreeable to both the State and the Central Site Monitoring System Vendor.**

48. **SECTION 1.4**

The contract resulting from this RFP is expected to be in effect for a period of five years (see Section 1.4). On what date will the contract officially begin – on the date of execution or on the first “go-live” date for the CSMS at either the Bangor Historic Track and/or any other site specific by the Board – that is, what date will the Board identify as the contract effective date?

**ANSWER: You can structure the contract so that it's effective upon signing, and terminates 5 years from the commencement of slot operations. This will be addressed during the contract negotiation.**

49. **SECTION 1.11 & 1.13**

Please clarify the number of copies of the proposal required. In Section 1.11 one original and nine copies are requested, while in Section 1.13 one original and six copies of the first proposal (“technical”) part are required and one original and two copies of the second proposal (“pricing”) part are required.



**Maine Gambling Control Board**  
Response to Questions  
For  
Central Site Monitoring System RFP  
October 29, 2004

**ANSWER: One original and nine (9) copies of everything. (Both parts).**

**50. SECTION 2.3**

Is the five-year extension (see Section 2.3) a one time five-year extension, or is it expected to be a series of multiple extensions not exceeding five years?

**ANSWER: Could be a one 5-year extension or multiple extensions of up to 5 years total.**

**51. SECTION 2.31**

Outside of the RFP requirements and any staffing that a successful bidder outlines in their response, will the Board identify “minimum levels of staffing or service” as detailed in Section 2.31?

**ANSWER: No. The bidder needs to submit what they are proposing as minimum staffing levels.**

**52. SECTION 3.1.1(a)**

Will a minimum number of slot machine terminals be identified in Section 3.1.1(a)?

**ANSWER: Law provides for up to 1500.**

**53. SECTION 3.1.2**

In Section 3.1.2 it is offered that the Gambling Control Board “can make available space for computer equipment and operations in facilities operated by the Maine Department of Public Safety” for the purpose of a housing primary central site monitoring system. Will the Board either identify a point of contact within this agency for the purposes of possibly negotiating a potential lease arrangement for this primary central site or provide bidders with approximate information as to the square footage available and at what cost per square foot?

**ANSWER: The Board is not able to make space available. The second sentence of 3.1.2 will be removed. (See addendum)**

**54. SECTION 3.1.7**



# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

As noted in Section 3.1.7 will the Board offer insight into what, if any, are the possible expansion plans beyond the Bangor Historic Track?

**ANSWER: The citizens of Maine voted to allow slot machines at commercial harness racing tracks if approved by local referendum. Bangor is the only community that approved this. Any expansion is directly related to the voters of the affected communities.**

**55. SECTION 3.1.10(a)**

Has the Board identified a licensed, third-party testing agency for the purposes detailed in this proposal (see Section 3.1.10(a))? If so, who is that testing agency? And, who will bear the costs of the actual testing?

**ANSWER: The Board will designate any third party test agency (agencies). Successful vendor will pay for any third party testing.**

**56. SECTION 3.2.1(d)**

Does the Board have specific requirements for the backup CSMS, such as minimum hardware and location (see Section 3.2.1(d))?

**ANSWER: No. Vendors shall outline their proposed solution.**

**57. SECTION 3.4.4**

Realizing that the successful bidder will be responsible for various types of implementations and installations under the contract (see Section 3.4.4), will the Board provide a contact person at the Bangor Historic Track to assist in answering questions that might arise from a potential bidder as they relate to track-related installation and implementation issues for the purpose of preparing the response to this RFP?

**ANSWER: We do not have a track contact. Penn National is the parent agency of Bangor historic Track.**

**58. GENERAL**

How does the Board intend to procure the gaming machines (slot machine terminals) to be connected to the requested central site monitoring system? Will it be the intention of the Board, from an overall integrity standpoint, to preclude the central site monitoring system provider from also being a supplier/vendor of gaming machines in the State of Maine?

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

**ANSWER: The Board will seek applicants to become slot machine distributors in Maine. It is not the intention of the Board to preclude the central site monitoring system provider from becoming a slot machine supplier/vendor/distributor.**

**59. GENERAL**

Finally, given that final responses to these questions can be expected from the Board just two weeks before the final RFP responses are due from potential bidders, would the Board consider extending the final date that bidder's proposals are due?

**ANSWER: No.**

**60. Sections 1.11 and 1.13 – Number of Copies**

Section 1.11 specifies submission of one original plus nine copies. Section 1.13 specifies one original technical proposal plus six copies and one original price proposal plus two copies. Please clarify the number of copies required.

**ANSWER: One original and nine (9) copies of everything. (Both parts).**

**61. Section 2.3 – Contract Term**

- a) What will the effective date of the contract be? Will it be the date the contract is executed (January 14, 2005 per RFP Section 1.6), the date that CSMS processing of slot machine operations begins, or some other date?

**ANSWER: You can structure the contract so that it's effective upon signing, and terminates 5 years from the commencement of slot operations. This will be addressed during the contract negotiation.**

- b) If the five-year contract term begins at contract execution, the Successful Bidder will receive less than five years of revenues and needs to know when slot machine operations will begin. When are slot machine operations scheduled to begin?

**ANSWER: See answer to Question 48. The answer to when slot machine operations are scheduled to begin is unknown at this time.**

**62. Section 2.5 –Background Investigations**

# Maine Gambling Control Board

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

Are investigations conducted on all bidders or just the Successful Bidder? What is the typical cost of background investigations?

**ANSWER: Just successful bidders. Background investigations will only be done on successful bidders. The cost of a background investigation varies and therefore no estimate can be given.**

**63. Section 2.33 – Compensation During Contract**

What does the Gambling Control Board envision with respect to its invitation to bidders to propose “another manner of compensation?” Are vendors limited to changes in the required format, or may they also propose compensation plans that are totally different from the required format?

**ANSWER: The Board is open to hearing about different formats.**

**64. Section 3.1.1.A – Temporary Facility at Bangor Historic Track**

With respect to the temporary facility:

- a) Where would the temporary facility be located?
- b) How long would slot machine operations be located at the temporary facility?
- c) Would all 1,500 slot machines operate at the temporary facility?
- d) Will all slot machines located at a temporary facility need to be moved overnight to the permanent facility when the permanent facility at Bangor Historic Track is ready?
- e) Would the successful vendor be responsible for providing and paying for the cabling, controller installations and data communications at both facilities?
- f) When will the decision be made as to whether a temporary facility will be used, and when will the necessary details be made available?

**ANSWER: There is no available information regarding temporary facilities.**

**65. Section 3.1.10 – Test Configuration**

We would like to be sure as to our need for space for this function. What is the maximum number of slot machines the Board expects to furnish for use as part of the test environment?

**ANSWER: 1-2 machines of each type by each manufacturer.**

**66. Section 3.2.1 – Communications with the Central Monitoring System**

**Maine Gambling Control Board**  
Response to Questions  
For  
Central Site Monitoring System RFP  
October 29, 2004

Is the Successful Bidder responsible for paying all the costs of the communications required in this section?

**ANSWER: Yes.**

**67.     Section 3.2.1.D – Backup Site**

a) The RFP only references a backup site in this section. Is the successful bidder required to provide a backup CSMS site?

**ANSWER: Yes.**

b) If a backup site is required, must it be located within the State of Maine?

**ANSWER: A backup site is required. See answer to Question 30.**

**68.     Section 3.3.11 – Progressive Game Support**

Will the Successful Bidder provide the signs for the banks of progressive machines, or just the communications to those signs as per RFP Section 3.2.1.A?

**ANSWER: Signage is the responsibility of the Slot Operator. The CSMS must support progressives including signage.**

**69.     Section 3.4.3.E – Trouble Tracking and Reporting System**

Is the trouble tracking and reporting system required to support the slot machines installed at the various venues, or is it limited to support only the equipment provided by the successful itself?

**ANSWER: The trouble tracking and reporting system outlined in this section is for the CSMS and associated equipment.**

**70.     Section 3.4.4 – Project Schedule**

The RFP does not provide a “go-live” date for the project. In developing their required project schedules what date should vendors use for a “go-live” date?

**ANSWER: See answer to Questions 26 and 64.**

**71.     Section 5.3 – Interviews/Negotiations**

# **Maine Gambling Control Board**

Response to Questions

For

Central Site Monitoring System RFP

October 29, 2004

Item H specifies “interviews/negotiations with the qualifying and desirable bidder(s)” as a step in the evaluation process.

- a) Does the Gambling Control Board contemplate interviewing and/or negotiating with more than one bidder at this time? Will the interviews and/or negotiations include both price and non-price factors?

**ANSWER: a-1 NO**

**ANSWER: a-2 Unable to answer at this time.**

- b) When in the process does Board plan to publicly announce its recommended winning bidder and make its Evaluation Report available to the public?

**ANSWER: The Board anticipates announcing the winning proposal on December 16, 2004 and making its evaluation report available to the public. See addendum to Section 1.6.**

## **72. Section 3.5.8.A – Financial Viability**

Subsidiary company financial statements are not audited and often do not completely represent the financial status of the subsidiary. For example, all cash is often held only by the parent company rather than the subsidiary company. Will the Gambling Control Board amend this RFP section to require only the consolidated financial statements of the parent company?

**ANSWER: No.**